

10/15/03

Dear Commissioners:

Please see attached statement from Citizens for Independent Public Broadcasting in support of Dominion Satellite Inc.'s Opposition to Daystar Television Network's Request for Section 403 Inquiry and Declaratory Ruling (03-206).

Dr. Jerold Starr
Executive Director

TO: FCC Commissioners
FROM: Dr. Jerold Starr, Executive Director, Citizens for Independent Public Broadcasting
RE: Case #03-206
DATE: October 15, 2003

We wish to support Dominion Video Satellite Inc.'s Opposition to Daystar Television Network's Request for Section 403 Inquiry and Declaratory Ruling.

Citizen's for Independent Public Broadcasting (CIPB) is a national membership organization dedicated to putting the public interest into public broadcasting. Nationally, CIPB proposes an independently funded and publicly accountable Public Broadcasting Trust. CIPB also contributes research and analysis to inform government policy.

CIPB has filed with the FCC on several occasions in the interest of preserving as much spectrum as possible for public interest programming. Our interest extends to all forms of distribution: over-the-air, cable and satellite. Our mission has taken on special urgency with the increasing consolidation of commercial media and concomitant eclipse of localism and diversity in programming for the public.

In 2000, CIPB organized the Coalition to Defend Educational Broadcasting to defeat the "Religious Broadcasting Freedom Act," a bill that would have eliminated educational programming as a requirement for holding a noncommercial educational license.

The Coalition encompassed almost 20 national organizations, including the National Educational Association, People for the American Way, Communications Workers of America, National Council of Churches of Christ, Interfaith Alliance, Center for Media Education, and others (see www.cipbonline.org/press06.htm).

This bill was stopped in the Senate, leaving intact all regulations pertaining to eligibility

for holding a noncommercial license, including severe limitations on commercial activity and the requirement that half or more of all programming be "educational" for "the entire community."

CIPB has no financial stake in the outcome of the Dominion-Daystar dispute. However, we have every stake in the principles involved. We are concerned that the DISH preempted a legitimate noncommercial public interest station in favor of granting space to Daystar, despite the availability of religious broadcasting capacity.

Moreover, we agree with Dominion that Daystar is not an eligible public interest programmer because "it engages in commercial activity of its public-interest broadcasts, including selling airtime for broadcast on public-interest set-aside capacity." This is a blatant exploitation of the small concession commercial media made to the public in winning passage of the 1996 Telecommunications Act that has led to such concentration in all media.

Furthermore, we are appalled that Daystar "exchanged excess compensation in return for being chosen over other eligible public-interest programmers," also prohibited by the Commission. Thus, that which is supposed to serve the public interest is cynically exploited for private profit by self-interested media.

For these important reasons, we urge you to find in favor of Dominion Video satellite its opposition.

Thank you very much for your consideration.

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